THE VICE CHAIRMAN (SHRI MD. SALIM): Already several members have spoken on the Calling-Attention Motion and some Members are yet to speak and thereafter the Minister will also reply. But, according to the List of Business, at 4.00 p.m. today, there are two statements to be made and the Ministers are here and clarifications are to be sought on one statement.

SHRI S. JAIPAL REDDY: Sir, the point is that this discussion on the drought situation will get unfocused if we do not have it uninterruptedly. I suggest that we finish this discussion within half-an-hour and then take up the other things ..... *(Interruptions)* ...

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): No, Sir ... *(Interruptions)* ...

THE VICE CHAIRMAN (SHRI MD. SALIM): I will take the sense of the House ... *(Interruptions)* ... We can finish this discussion and the reply by the Minister also ... *(Interruptions)* ... All right. I will take the sense of the House ... *(Interruptions)* ...

SHRI V. GOPALSAMY: You follow the agenda, Sir ..... *(Interruptions)* ...

SHRI JAGDISH TYTLER: Yes, we will follow the agenda ..... *(Interruptions)* ...

श्री सिकन्दर बख्त: सदर साहब, एजेंडे के मुताबिक चलने दीजिए।

شری سکندر بخت: صدر صاحب۔ ایجنڈے کے مطابق چلنے دیجیے۔

THE VICE CHAIRMAN (SHRI MD. SALIM): Let me take the sense of the House. We will go by the List of Business ..... *(Interruptions)* ...

SOME HON. MEMBERS: List of Business only ..... *(Interruptions)* ...

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): Sir, we have also got two Motions for reference of Bills to Joint Committees according to the Supplementary List of Business ..... *(Interruptions)* ...

† [ ] Transliteration in Arabic Script.

THE VICE CHAIRMAN (SHRI MD. SALIM): Before I can ask the Ministers to make their statements according to the List of Business, there are two Motions to be moved by the Minister of State for Home Affairs according to the Supplementary List of Business. Yes, Mr. Sayeed.

MOTION FOR REFERENCE OF BILL TO JOINT COMMITTEE—THE CONSTITUTION (EIGHTIETH AMENDMENT) BILL, 1993

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): Sir, I beg to move the following Motion:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Constitution of India and resolves that the following members of the Rajya Sabha, namely,:—

1. Mufti Mohd. Sayeed,
2. Shri N. E. Balaram,
3. Shri Satya Prakash Malviya,
4. Shri Sikander Bakht,
5. Shri R. K. Dhawan,
6. Shri Madan Bhatia,
7. Shri Sushilkumar Sambhajirao Shinde,
8. Shri Murlidhar Chandrakant Bhandare,
9. Shri Subramanian Swamy, and
10. Shri Mentay Padmanabham,

be nominated to serve on the said Joint Committee".

The question was proposed.

(उपसभापति महोदया पीठासीन हुईं)

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश): महोदया, मंत्री महोदय ने प्रस्ताव रखा है। बिल सरक्युलेट हो चुका है, मैंने और मेरी पार्टी ने बिल को देखा है। बिल के जो उद्देश्य कहे गए हैं, उससे बिल्कुल अलग उसके अंदर प्रावधान है। अगर थोड़े में कहा जाए तो सरकार की तानाशाही को स्थापित करने वाला यह बिल है। आर्टिकल 35(ए) के संशोधन का मतलब है, जितनी पार्टियां यहां बैठी हुई हैं, विरोधी दल में से किसी को भी पार्लियामेंट के एक प्रस्ताव से सरकार प्रतिबंधित कर सकती

है । इसी कारण से दूसरे सदन में जितने भी दल हैं, सबने इस बिल का विरोध किया है । मैं अपने दल की ओर से कहना चाहता हूँ कि उसके उद्देश्य जो लिखे गए हैं वे दिखावे के हैं, लक्ष्य कुछ और है । उन्हीं उद्देश्यों की पूर्ति के लिए जो कुछ आपके कानून में है—चाहे सिविल प्रोसीजर कोड में हो, चाहे इलेक्शन मेन्युअल में हो, वह पूरा करता है । अतः मैं अपनी पार्टी की ओर से यह स्पष्ट करना चाहता हूं कि . . . *(व्यवधान)* . . .

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : कौन सी पार्टी ?

श्री जगदीश प्रसाद माथुर : भारतीय जनता पार्टी । मैं जनता दल में न हूं, न रहूंगा । सदन में मेरे विरोधी दल के जितने मेरे साथी हैं, उन्होंने इसका विरोध किया है । हम जोइंट सिलेक्ट कमैटी में जरूर जाएंगे, क्योंकि आज का जो बिल है उसको बिल्कुल समाप्त करके डेमोक्रेटिक प्रोसेस का कोई बिल आए, परन्तु हम इसका विरोध करते हैं । इसको तानाशाही बताते हुए हम जोइंट सिलेक्ट कमैटी में जा रहे हैं, जिससे सरकार के तानाशाही इरादों को हम रोक सकें । इतना कहकर मैं अपने दल की ओर से कहूंगा कि हम जोइंट सिलेक्ट कमैटी में जरूर जाएंगे, लेकिन लड़ने के लिए जाएंगे । मैं समझता हूं कि जितने विरोधी दल हैं मेरी इस बात से सहमत होंगे कि आज का बिल एक तानाशाही का बिल है और इसके अतिरिक्त इसका कोई लक्ष्य नहीं है । . . . . . *(व्यवधान)*

SHRI INDER KUMAR GUJRAL (Bihar): Madam, I was thinking that in today's context and the situation that prevails in the country, every patriot would feel concerned about the way religion is being misused for the purposes of politics. We, on this side of the House, in principle, welcome the idea of delinking religion from politics. Of course, we have our difficulties so far as the bad drafting is concerned. But lest a contrary impression should go, in principle, we support the idea that the use of religious sentiment and communalism for political purposes must be ousted. I hope the Government will redraft the Bill in a more sensible fashion because the purpose must be achieved, and all the apprehensions that my friend, Mr. Mathur, has raised should be removed. And, I hope, when they are removed, Mr. Mathur's Party will be sensible enough to support the idea that religion should have no interference in politics.

SHRI SUKOMAL SEN (West Bengal): Madam, just one minute.

THE DEPUTY CHAIRMAN: I am not allowing everybody to speak because we are not having a debate.

SHRI SUKOMAL SEN: I am on another point.

THE DEPUTY CHAIRMAN: It is only introduction.

SHRI SUKOMAL SEN: Madam, that Committee has been announced there. I would like to know from the hon. Minister why the name from our Party has been excluded.

THE DEPUTY CHAIRMAN: I will ask the Minister to answer.

मंत्री जी, आप जवाब दीजिए इन तीन बातों पर ।

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): Use of Money power and muscle power should also be excluded from politics. *(Interruptions).*

THE DEPUTY CHAIRMAN: Order, please. Don't bring in issues which are not concerned with the matter.

SHRI P. M. SAYEED: Shri N. E. Balaram is there.

THE DEPUTY CHAIRMAN: He is from CPI.

SHRI SUKOMAL SEN: CPI and CPM are two parties.

THE DEPUTY CHAIRMAN: I am telling him. I know. Mr. Balaram belongs to CPI. Can you read out the names again ? Will you please listen properly ?

SHRI P. M. SAYEED: Mufti Mohd. Sayeed—I hope, he is not from CPM; Shri N. E. Balaram; Shri Satya Prakash Malaviya; Shri Sikander Bakht; Shri R. K. Dhawan; Shri Madan Bhatia; Shri Sushilkumar Sambhajirao Shinde; Shri Murlidhar Chandrakant Bhandare; Dr. Subramanian Swamy . . . . .

AN HON. MEMBER: Which Party ?

(Interruptions)

SHRI P. M. SAYEED: . . . and Shri Mentay Padmanabham.

(Interruptions)

SHRI S. MUTHU MANI (Tamil Nadu): With your permission, I want to say one thing.

(Interruptions)

SHRI SUKOMAL SEN: Why is the CPM excluded?

SHRI P. M. SAYEED: In Lok Sabha, his party Member is included.

(Interruptions)

THE DEPUTY CHAIRMAN: Will you please allow him to say? Let me hear what the Minister's explanation is. *(Interruptions)* Just a minute.

SHRI S. MUTHU MANI: All-India Anna DMK has not been given a chance to represent on the Committee. I want to know the reason for its exclusion.

(Interruptions)

SHRI PRAKASH YASHWANT AMBEDKAR (Nominated): Madam, we Members who are nominated by the President, do not belong to any party. From what I have seen during the last two years in this House, I find that these Nominated Members are not represented anywhere in these Committees. May I know from the Chair as to how these Members are going to be protected?

THE DEPUTY CHAIRMAN: He has raised a very valid point. What is the Government's answer to that?

SHRI P. M. SAYEED: Madam, ... *(Interruptions)*.

THE DEPUTY CHAIRMAN: Let me find out from the Government because the Government has really included certain names. Let me find out.

SHRI P. M. SAYEED: Madam, this is in consultation with various parties ... *(Interruptions)*. The list is drawn up in consultation with ... *(Interruptions)*.

THE DEPUTY CHAIRMAN: Unfortunately, the running commentaries do not let me hear what the Minister is saying. And then you expect me to give my ruling which I cannot give without hearing the Minister. I would request all of you to please let me hear what the Minister is saying.

SHRI P. M. SAYEED: My esteemed colleague, Mrs. Margaret Alva, had consultation with almost every party .....

SOME HON. MEMBERS: No, no.

SHRI P. M. SAYEED: Madam, I want to clarify that the Government's intention is very clear. We want to get the co-operation of all the parties with regard to this Bill because this is going to be very, very vital in the body politic of this country, and that is the reason why we have drawn the list in consultation with Lok Sabha as well as ... *(Interruptions.)* In case there is any discrepancy ... *(Interruptions.)* Please protect me, Madam. I cannot shout.

THE DEPUTY CHAIRMAN: Let him answer. I will permit you.

SHRI P. M. SAYEED: Government has no such ... *(Interruptions.)*

PROF. SAURIN BHATTACHARYA (West Bengal): Let Mrs. Alva come.

THE DEPUTY CHAIRMAN: I will ask her. Let me hear the Minister.

SHRI YASHWANT SINHA (Bihar): Let the Government admit this very shabby mistake. Let him withdraw the whole list, consult the political parties and do it again. What is the problem? ... *(Interruptions.)* Madam, we have not been consulted. At least, I have not been consulted.

SHRI P. M. SAYEED: I want to dispel the misgivings of Mr. Mathur by saying that this Bill is not going to be enacted for the purpose of *tanashahi* as he alleged. This is only to delink religion from politics, and therefore I have moved the motion ... *(Interruptions.)*

THE LEADER OF THE OPPOSITION (SHRI SIKANDER BAKHT): I am afraid the Minister is totally off the track. He is unnecessarily giving to his Government an unnecessary certificate. They have not consulted so many parties. What is the purpose of including a particular name in this list? There are some major political parties who have been totally ignored. There is CPI(M); there is AIADMK; there is DMK; there is Telugu Desam. You have not consulted them and you are unnecessarily giving a certificate to the Government.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): May I request the Leader of the Opposition to give me some opportunity. I was present in the Lok Sabha yesterday. We had, as a matter of fact, moved for a smaller Committee, ten from Lok Sabha and five from here, in the original motion. What happened then was, the Leader of the Opposition in Lok Sabha ... *(Interruptions.)*

THE DEPUTY CHAIRMAN : Let him speak.

SHRI H. R. BHARDWAJ : Ten and five were originally suggested and then an amendment was moved by Shri Atal Bihari Vajpayee saying that this number was inadequate and the parties were not represented. So as an agreement, the Home Minister amended and he agreed ..... *(Interruptions.)*

SHRI INDER KUMAR GUJRAL : Madam, it is an established practice that what happens in the other House is not referred to in this House. Therefore, the hon. Minister cannot draw our attention on that basis. The basic point is, we, on this side of the House, have taken strong exception to the composition of the Committee so far as this House is concerned. Therefore, the hon. Minister cannot, according to the precedents, practices and traditions of this House, ask us to follow what was done in the other House. *(Interruptions.)*

THE DEPUTY CHAIRMAN : Let me hear Mr. Bhardwaj before I give my ruling. *(Interruptions.)*

SHRI H. R. BHARDWAJ : Madam, let me just explain because a message should not go that there has been no consultation with the political parties. *(Interruptions.)*

THE DEPUTY CHAIRMAN : Let me hear him. Have patience, please. *(Interruptions.)*

SHRI H. R. BHARDWAJ : Now, that was done. I do not know whether any consultation had taken place here. But there all the parties were accommodated; the Members who were nominated by the leaders of their parties were accommodated. In regard to these 10 Members from this House, I do not know whether any consultation had taken place. If they have a grievance, they can take it up. *(Interruptions.)*

SHRI S. JAIPAL REDDY (Andhra Pradesh) : Madam, I am formally tabling an amendment to the effect that the Member from the C.P.I.(M), Shri P. Ramachandran Pillai, be also nominated to the Joint Committee. I would also like to make an enquiry as to whom Dr. Swamy represents in this House.

SHRI V. GOPALSAMY (Tamil Nadu) : He represents agents ... *(Interruptions.)*

SHRI S. JAIPAL REDDY : I am not making any rhetorical enquiry. I am not making the enquiry in a truculent fashion. *(Interruptions.)*

THE DEPUTY CHAIRMAN : Every party should be consulted. Every party should have been consulted. That is your contention. I do not know what happened in the Lok Sabha. The Minister has said as to what happened in the other House. *(Interruptions)* Mr. Bhardwaj, may I have your attention, please ? Whenever a Joint Committee is set up, the convention has always been that if the leaders in the Lok Sabha have been consulted in regard to giving the names, in the Rajya Sabha also, leaders of the various political parties and groups have always been consulted for arriving at a consensus. That is the only problem the Members are facing. I do not know whether Mrs. Alva had a meeting because the Chair is not involved with that consultation. She is not here at the moment. Did she consult somebody ?

SHRI SIKANDER BAKHT : Not about the composition of the Committee. *(Interruptions.)*

SHRI YASHWANT SINHA : Madam, I made a very simple suggestion. Here, I have to disagree with my colleague, Shri Jaipal Reddy. There is no question of moving an amendment. This motion must be withdrawn. It must be withdrawn and let them come back to the House after the consultation has been completed. This is the only option open. There is no question of moving any amendment. *(Interruptions.)*

SHRI P. M. SAYEED : Madam, let me point this out. If I read out the names of the Lok Sabha Members who are taken on this Committee, the whole confusion will be over. There is on this Committee, Shri Somnath Chatterjee, who is the floor leader of the C.P.I.(M). *(Interruptions.)*

SHRI M. A. BABY (Kerala) : He is talking about the other House. It is absolutely wrong. *(Interruptions.)*

THE DEPUTY CHAIRMAN : Mr. Sayeed, as I said, there is a convention followed whenever a Joint Parliamentary Committee is set up. I do not know how many Members are there in this Committee. The contention of the Members here is that the C.P.I.(M) is a major party in the House and, therefore, it should have a representative over there.

SHRI S. MUTHU MANI : Madam, the All-India Anna D.M.K. is also a major party.

THE DEPUTY CHAIRMAN : If there are Members from the Lok Sabha, it is the Lok

Sabha representation. It has always been a convention in this House that whenever a Joint Committee is set up, leaders of the various political parties and groups are consulted for arriving at a consensus and, on that basis, Members are nominated to the Joint Committee. This has been the convention. *(Interruptions.)*

SHRI P. M. SAYEED: We have already consulted. If the leaders are repudiating it on the floor of the House, I cannot help it.

THE DEPUTY CHAIRMAN: Did you consult the C.P.I.(M)?

SHRI P. M. SAYEED: Mrs. Alva had a talk with Mr. Jaipal Reddy in the morning. *(Interruptions.)*

SHRI M. A. BABY: Let the motion be withdrawn. Let there be consultation first. Ask the Minister to withdraw the motion.

THE DEPUTY CHAIRMAN: Let me find out from Shri Abrar Ahmed. He is also a Parliamentary Affairs Minister. Did Mrs. Alva consult everybody...

SHRI YASHWANT SINHA: What is there to find out? There is nothing to find out. If you have to wait till Mrs. Alva comes, let us adjourn the House. Would you like the House to adjourn till Mrs. Alva comes to the House? *(Interruptions)*. No, Mr. Minister, we are making a very simple suggestion. Better withdraw the motion.

SHRI SOMAPPA R. BOMMAI (Orissa): Let us not waste the time of the House. Let it be taken up tomorrow. Let there be consensus. We can do that very smoothly. It can be taken up tomorrow.

SHRI M. A. BABY: The prestige of this House should be protected. The House should not be taken for a ride. *(Interruptions)*.

THE DEPUTY CHAIRMAN: Order, please. Will you please sit down?

PROF. SAURIN BHATTACHARYA: Withdraw it.

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Even yesterday in Lok Sabha they changed certain names which were not approved by them. They can do the same thing...

SHRI P. M. SAYEED: This can be taken up tomorrow if they so wish.

THE DEPUTY CHAIRMAN: All right, we will take it up tomorrow. *(Interruptions)*. Both. Mr. Bhardwaj's also tomorrow. Now, can I have some order in the House?

SHRI M. A. BABY: The Government is bringing disorder.

THE DEPUTY CHAIRMAN: Please do not make any comments now.

SHRI YASHWANT SINHA: The House is meant for comments.

THE DEPUTY CHAIRMAN: Now we have two statements, one by Shri Jagdish Tytler about the transport strike, and the other by Mr. Bhardwaj. He has made that statement yesterday in the other House. Then there are the clarifications on the Statement made by the Home Minister. The third thing is, there is the reply to the Calling Attention also.

SHRI BALRAM JAKHAR: The reply is very important. This must be taken up first.

THE DEPUTY CHAIRMAN: Now these three things are there.

As far as my yesterday's experience goes, the Members did not want to sit beyond 5. I want to take the sense of the House. *(Interruptions)*. Yes, drought is important. The reply will be there. Let me know the fate of the two statements. *(Interruptions)*. One by one. *(Interruptions)*. And what about the clarifications?

SHRI SOMAPPA R. BOMMAI: Let us have the reply first. We do not know what time it will take.

THE DEPUTY CHAIRMAN: Now, you please give the reply. Let him give the reply. Or, shall we ask the Minister to lay the papers on the Table of the House? Tomorrow we will have clarifications.

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): I am on a point of order. There are so many Members who want to speak. There is a severe drought in Maharashtra and not a single Member from there has spoken. Please, give us two minutes each and then the Minister can reply.

श्री सिकन्दर बख्त : सदर साहिबा, यह मालूम तो होना चाहिए कि तय क्या हुआ।

†نیتا ورودھی دل ؒ شری سکندر بخت: صدر صاحبہ
یہ معلوم تو ہونا چاہیے کہ طے کیا ہوا۔

† [ ] Transliteration in Arabic Script.

उपसभापति : रिप्लाई देना तय हुआ ।

श्री सिकन्दर बख्त : जो डाउट पर कुछ और बोलने वाले थे क्या वह नहीं बोलेंगे ?

شری سکندر بخت : جو ڈراؤٹ پر کچھ اور بولنے والے تھے کیا وہ نہیں بولیں گے۔

THE DEPUTY CHAIRMAN : How many Members are left now?
(*Interruptions*).

THE DEPUTY CHAIRMAN : Five Members have to speak on drought. Then at five o'clock it will be over and you can't have the reply because the Minister should have at least half an hour to reply to all the queries you have raised the whole day. I asked the House, "Are you going to sit beyond five o'clock?" and they said, "No." ... (*Interruptions*) ...

SHRI SIKANDER BAKHT : Madam, supposing the business of the House is going to end with the reply of the Minister, then it is all right. The Ministers will be making the statements tomorrow then.
... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : I can permit only one question from each person who has not spoken yet. No speeches. You just put one question to the Minister and everybody else who wants to ask, say, about Maharashtra, one question, and then one question about Karnataka and so on. That's all. I can't help it.... (*Interruptions*) ...

SHRI H. HANUMANTHAPPA (Karnataka) : Then it will be an injustice to the Members. At least two to three minutes you should give.
... (*Interruptions*) ...

SHRIMATI MIRA DAS (Orissa) : Madam, Orissa is the most severely affected State ... (*Interruptions*) ...

PROF. SAURIN BHATTACHARYA : Madam ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : Will you please sit down?... (*Interruptions*) ...

I have heard you. Please sit down. ... (*Interruptions*) ...

† [ ] Transliteration in Arabic Script.

PROF. SAURIN BHATTACHARYA : But don't give such decisions.

THE DEPUTY CHAIRMAN : Please take your seat. Have patience. More time is wasted in arguments. ... (*Interruptions*) ... Again ? Please have peace in the House and let me finish the work.

SHRI SARADA MOHANTY (Orissa) : Madam, Orissa is the most affected area. We have not been given a chance.

THE DEPUTY CHAIRMAN : Prof. Sanadi. Just two minutes, please.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE PREVAILING DROUGHT CONDITIONS IN DIFFERENT PARTS OF THE COUNTRY—Contd.

प्रो० आई० जी० सनदी (कर्णाटक) : आदरणीय उपसभापति महोदया, मैं आभारी हूं जो आपने मुझे बोलने का समय दिया ।

महोदया, कर्णाटक राज्य कभी सुजलां-सुफलां मलयज शीतलां था । आज यह सूखे के कारण एक सपना हो गया है । यह कहते आंख से आंसू नहीं रुक्त झर जाता है कि कर्णाटक के 20 जिलों में से 14-15 जिले सूखाग्रस्त हैं । ये जिले पिछले 50 सालों से सूखा पीड़ित हैं । किसानों की दुख की हालत जो है वह खुदा ही बेहतर जानता है । कर्णाटक का किसान, अन्नदाता, हाथ फैलाये बैठा है । उसके हाथ सहायता करने वाली सरकार की ओर हैं । निराशा के घने बादलों में आशा की किरण के रूप में मंत्री श्री जाखड़ जी नजर आते हैं । जाखड़ जी के बारे में मैं यह विश्वास रखता हूं कि ये किसानों के मसीहा हैं । आपके मन में किसानों के प्रति करूणा है । आप कर्णाटक के किसानों की तुरन्त सहायता के लिये चले जाइये नहीं तो उनकी परिस्थिति गंभीर होने वाली है ।

एक जमाना था जब लोग कहा करते थे कि उत्तम खेती, मध्यम व्योपार, कनिष्ठ नौकरी लेकिन अब यह बात उल्टी हो गयी है । उत्तम नौकरी कनिष्ट खेती हो गयी है ।

आगर किसी जनम में किसी ने गुनाह किया है तो वह इस जनम में किसान बनेगा, यह एक ऐसी धारणा उनके मन में हो गयी है । मैं एक किसान परिवार से आता हूं । इसलिये अपनी तरफ से मैं यह बात कहता हूं । बीज गया, फसल गयी, उधार के सौदे से जो खाद डाली गयी थी वह भी बेकार हो गयी है । सूखे की हालात का मारा किसान आज वह बेसहारा हो गया है । मैं चाहता हूं, खून पसीना एक करके वह कमाना चाहता है, उसकी मदद की जाय । बिहार, मध्य प्रदेश, उड़ीसा के सूखाग्रस्त इलाकों का दौरा कर प्रधानमंत्री जी आये हैं और उन्होंने अधिक